

**FILED**

**MAY 08 2019**

Clerk, U.S. District Court  
District Of Montana  
Great Falls

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

RONALD JOSEPH FOURHORNS,

Defendant/Movant.

Cause No. CR 14-52-GF-BMM

ORDER

The parties in this case agree it is appropriate to resentence Mr. Fourhorns. The Court has granted their motion for resentencing. (Doc. 95). Section 3582(c) of Title 18 provides that a court “may not modify a term of imprisonment once it has been imposed” unless one of the reasons under that section applies. Section 2255 provides reason to modify Fourhorns’ sentence as it is “expressly permitted by statute.” 28 U.S.C. § 2255. The parties have filed a sentencing agreement as part of the resolution of Fourhorns’ § 2255 petition. The Court determines it appropriate, in light of the parties’ sentencing agreement and based on the Court’s experience with Fourhorns’ case, to grant Fourhorns’ §2255 motion to the extent agreed by the parties.

Accordingly, IT IS ORDERED:

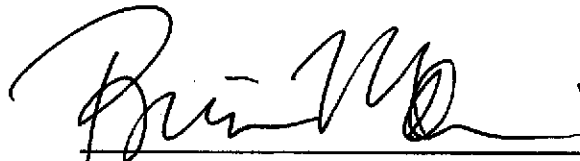
1. Fourhorns’ amended motion under 28 U.S.C. § 2255 (Doc. 63) is

GRANTED to the extent of the parties' agreement and DENIED in all other respects.

2. A certificate of appealability is DENIED as Fourhorns has conceded the United States's position on the motion.

3. When an amended judgment is entered in the criminal case, the clerk will close the civil file by entering judgment, by separate document, consistent with paragraph 1.

DATED this 8th day of May, 2019.

A handwritten signature in black ink, appearing to read "Brian M. Morris", written over a horizontal line.

Brian M. Morris  
United States District Court